IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 11918 of 2004(R)

PETITIONER:

GEORGE VARGHESE, MIDAS RUBBER (PVT)
LIMITED, ETTUMANNOOR, KOTTAYAM.

BY ADV. SRI.P.DEEPAK

RESPONDENTS:

1. KERALA STATE ELECTRICITY BOARD,REP: BY ITS CHAIRMAN,
VYDYUTHI BHAVAN, THIRUVANANTHAPURAM.

2. DEPUTY CHIEF ENGINEER,
ELETRICAL CIRCELE, KS.E.B., KOTTAYAM.

BY ADV. SRI. C.K.KARUNAKARAN, SC, KSEB

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 11918/2004 R

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REPRESENTATION DT. 12/2/03.

EXT.P2. COPY OF THE REPRESENTATION DT. 30/6/03.

EXT.P3. COPY OF THE COMMUNICATION DT. 12/3/2004.

RESPONDENT'S EXHIBITS

EXT.R2A. COPY OF THE BOARD ORDER DT. 10/8/98.

EXT.R2B. COPY OF THE BOARD ORDER DT. 10/09/97.

True copy

tga

KURIAN JOSEPH J.

W.P.(C) No.11918 of 2004

Dated 9th August, 2007.

J U D G M E N T

Petitioner is aggrieved by Ext.P3 order directing deposit of service connection charges for considering the request for reduction of contract demand. Reliance is placed on Ext.R2(b) Board Order. It is to be seen that Ext.R2(b) stipulates service connection charges only in the case of enhancement of contract amount. The case of the petitioner is for reduction of contract amount. Therefore, there is no justification in the demand. I quash Ext.P3.

The writ petition is allowed of as above.

KURIAN JOSEPH, JUDGE.

tgs